

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION (COLUMBUS)**

AMBER GASCHO, et al.,

Plaintiffs,

v.

GLOBAL FITNESS HOLDINGS, LLC,

Defendant.

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Case No. 2:11-cv-436

Judge Smith

Magistrate Judge King

SCHEDULING ORDER

This Court's Preliminary Approval Order of September 30, 2013 (Docket No. 111), approved and adopted the Settlement Agreement¹ between the Parties. Through approval and adoption of the Settlement Agreement, the Claims Period Deadline and the date for the Claims Administrator to file its declaration with the Court were established by operation of counting days from the Preliminary Approval Date.

Specifically, Section 12.2 of the Settlement Agreement directs that the Notice Postcard shall be sent 30 days after the Preliminary Approval Date, and then Section 2.6 of the Settlement Agreement directs that the Claims Period Deadline shall be 60 days after the Notice Postcards are sent, thereby making the Claims Period Deadline 90 days after the Preliminary Approval Date (*i.e.*, Sunday, December 29, 2013). Likewise, Sections 10.2 and 13.1 direct that the Claims Administrator provide the Court, Class Counsel, and Defendant's counsel with its declaration 21 days after the Claims Period Deadline (*i.e.*, Sunday, January 19, 2014).

¹ All capitalized terms in this Order shall have the same meaning as set forth in the Settlement Agreement.

To eliminate any confusion, and to confirm that the counting of days is consistent with Fed. R. Civ. Proc. 6(a), ***it is hereby ordered that:***

- The Claims Period Deadline, as that term is defined and used in the Settlement Agreement, shall be Monday, December 30, 2013.
- The deadline by which the Claims Administrator shall provide to the Court, Class Counsel, and Defendant's Counsel the declaration required in Sections 10.2 and 13.1 of the Settlement Agreement shall be Tuesday, January 21, 2013.²

Except as expressly noted above, all other dates and deadlines provided for in the Settlement Agreement and the Preliminary Approval Order shall remain unaffected.

Ordered as of this 14th day of October, 2013.



THE HONORABLE GEORGE C. SMITH
UNITED STATES DISTRICT COURT

² Monday, January 20, 2014, is the Legal Holiday celebrating Martin Luther King Jr.'s Birthday.